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**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**OAKLAND DIVISION**

FINJAN, INC., a Delaware Corporation,  
  
Plaintiff,  
  
v.  
  
FIREEYE, INC., a Delaware Corporation,  
  
Defendant.

Case No.: 13-CV-03133-SBA  
  
**JOINT STATUS REPORT**

Pursuant to the terms of the Order Granting Motion to Stay Pending Reexamination (Dkt. No. 72), Plaintiff Finjan, Inc. (“Finjan”) and Defendant FireEye, Inc. (“FireEye”) hereby provide the Court with the following status update.

**I. STATUS OF THE LITIGATION**

Pursuant to the Court’s Order Dated June 2, 2014 (Dkt. No. 72), this case has been stayed pending reexamination of U.S. Patents Nos. 7,058,822 and 7,647,633.

**II. STATUS OF THE REEXAMINATION PROCEEDINGS**

**A. U.S. Patent No. 7,058,822 (the “’822 Patent”) – Control No. 90/013,017**

FireEye originally filed an *ex parte* reexamination request for the ’822 Patent on October 7, 2013 seeking *ex parte* reexamination of claims 1-8 and 16-27. On December 6, 2013, the Patent Office granted reexamination of the ’822 Patent and initially rejected all claims for which FireEye requested reexamination. On March 6, 2014, Finjan responded to the initial rejection. On September 8, 2014, the Patent Office issued a final rejection of all reexamined claims. On October 8, 2014, Finjan responded requesting further examination following the final rejection of all claims with proposed amendments. On October 23, 2014, the Patent Office issued an advisory action, rejecting Finjan’s request for further examination with the proposed amendments. On February 26, 2015, Finjan filed an appeal of the Patent Office’s decision to the Patent Trial and Appeal Board. On March 30, 2015, the corresponding Examiner’s Answer was filed by the Patent Office. On June 1, 2015, Finjan filed a reply brief in response to Examiner’s Answer. On November 3, 2015, an oral hearing was held before the Patent Trial and Appeal Board.

**B. U.S. Patent No. 7,647,633 (the “’633 Patent”) – Control No. 90/013,016**

FireEye originally filed an *ex parte* reexamination request for the ’633 Patent on October 7, 2013 seeking *ex parte* reexamination of claims 1-7 and 28-33. On November 19, 2013, the Patent Office granted the reexamination of the ’633 Patent and initially rejected all claims for

1 which FireEye requested reexamination. On February 19, 2014, Finjan responded to the initial  
2 rejection, including proposing claim amendments to present new claims 42-52. On May 22, 2015, a  
3 final rejection was issued by the Patent Office that entered the claim amendments and rejected claims  
4 1-7, 28-33 and 42-52. On August 24, 2015, Finjan filed an appeal of the Patent Office's decision to  
5 the Patent Trial and Appeal Board.

6 Respectfully submitted,

7  
8 DATED: November 30, 2015

By: /s/James Hannah

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22 Respectfully submitted,

23 DATED: November 30, 2015

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In accordance with Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this document has been obtained from any other signatory to this document.

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